

PROGRAM OF WORK AND BUDGET
LAWS AND RULES REVIEW COMMITTEE

Chair: Iris R. Okawa
Vice-Chair: Louis Abrams

FISCAL YEAR 2003

REAL ESTATE RECOVERY FUND

- continuous program
- provide information and advice; process and administer claims; coordinate responsibilities with consultant attorneys; administer contracts with consultant attorneys; administer records management
- maintenance and review of budget, finance, and records for RERF; develop and adopt investment guidelines, administer contract with investment consultant; provide quarterly and annual financial statements
- develop a collection program; continue to administer the State Tax Intercept Program; feasibility of contracting with collection agencies; etc.
- administer contracts with consultant attorneys; consultant attorneys to make recommendations on whether to renew assigned judgements for collection purposes and periodically initiate collection efforts, such as researching conveyance and real property tax records
- provide annual statistical data about the claims/payouts/issues; provide quarterly case summary reports and to included in bulletin/annual report/webpage; provide the aforementioned to any interested party
- administration and funding of staff position
- determine feasibility and recommendations of electronic administration, including scanning of documents on CDs for record purposes and computerize case tracking, proposed deadline of May 2003

- develop, print, and distribute simple plain language brochure on the requirements and procedures to file for the recovery fund; include in website, proposed deadline of January 2003

REAL ESTATE LICENSING, REGISTRATION & CERTIFICATION ADMINISTRATION

- continuous program
- review and recommend amendments to licensure requirements to improve consumer protection, or streamline the licensing program for new real estate licenses, including salespersons, brokers, corporations, partnerships, sole proprietors, branch offices, broker experience, including laws, rules, policies, procedures, forms, information, records management, review process, etc.; implement recommendations from "Review of Services and Organization" program of work, as applicable
- handle appeals for license/certification/registration denials, including subpoenas, review, refer, and coordinate with Hearings Office, Attorney General Office, PVL, testify at hearings
- subpoenas for records/documents, appearance, or deposition for civil or criminal cases before the courts or from government agencies, review, refer and coordinate with PVL, AG's office, OIP, court reporter
- administration of informal understanding with Department of Taxation on education to licensees
- plan, implement, and administer new Legislative Acts and rules amendments
- review and prepare summaries of on all disciplinary cases and application appeal cases for Bulletin/webpage /annual reports; periodically research and present analysis of disciplinary cases

ADVICE, EDUCATION, AND REFERRAL

- continuous program
- via telephone/correspondence/walk-in/fax/website/email, provide advice, education, and referral to applicants, licensees, government officials, consumers, public, media/press, including research, reproduction, mailing, etc.
- print or reprint and distribute REC educational materials, including PB/BIC distribution; provide educational materials through REC website
- administer and provide requestors with access to public information and records, including requests for copies, subject to compliance with Uniform Information Practices Act and other related laws; work with PVL Program Specialist and OIP
- respond to inquiries, requests, and constituency requests for Governor, Lt. Governor, Director, Deputy Director, Licensing Administrator, DCCA Division Chiefs, Legislators, Congressional members, Mayor, Council Members, and other government officials, including research, troubleshooting, collaboration, mediation, and drafting response.
- collect and provide quarterly statistical data on telephone, walk-in, correspondence, fax, website hits, and email assistance
- joint program with Education Review Committee

RULE MAKING, CHAPTER 99

- carryover program
- study and evaluate Chapter 99, HAR, and Chapter 467, HRS, for possible rule making; priority on issues from draft K-8 which could not be considered in SWAT I and housekeeping matters from SWAT I with proposed

deadline of September 2002; consider SWAT II; among others, REC decisions, informal and formal opinions, declaratory rulings, criteria for rehabilitation of applicants, MCE, prelicensing matters, advertising, restorations, principal broker, CHO, and deregulation where possible without reducing consumer protection and/or reducing State resources

- research, draft, review and comment, informal consultation with Deputy Attorney General and initiate rule making; administer process, hearing process and approval procedures, public notices
- upon request, provide briefings to licensees and organizations, especially SWAT rules
- provide informal notice of public hearing and proposed amendments through REC website; provide formal notice of public hearing and proposed amendments as per UIPA
- print and distribute copy of any rule amendments to principal brokers and brokers in charge, if feasible in conjunction with amended law distribution; determine and recommend on the feasibility of electronic distribution
- research and collect data on effects of SWAT for 2002 report for DCCA

SUBCOMMITTEES

- subcommittee on internet advertising: study, consultation with HAR and others, provide report and any recommendations including rule and/or statutory amendments, Admin bill deadline is August 2002
- subcommittee on referral fees: study, consultation with HAR and others, provide report and any recommendations including rule and/or statutory amendments

MEETINGS

- continuous program
- plan, coordinate, and conduct monthly LRRC meetings; including arrangement for facilities, agenda, testifiers, and minutes; pre- and post meeting requirements, briefing of and coordination with Chair; provide agendas and meeting schedules to participants, HAR, and upon request, include in REC website
- joint program with Education Review Committee and Condominium Review Committee
- coordinate dates and times with HAR and Boards of Realtors to avoid conflicts

LICENSING RENEWAL

- continuous program
- develop and administer plan for license renewal, work with PVL on electronic renewal, distribution of renewal application forms, including coordination of MCE; outreach programs with Licensing Branch on Batch Renewals and Steps to a Better Renewal, plus in conjunction with Specialists of the Day
- distribute a licensing roster of all current real estate salespersons to principal brokers to update records at least 6 months prior to renewal deadline
- joint project with Licensing Administrator

LEGISLATIVE AND GOVERNMENT PARTICIPATION

- coordinate with Administration

- provide briefings to Legislators and staff, act as resource to Legislators, draft language, draft committee reports, etc.
- research, study, and draft written testimony on non-REC bills; provide oral testimony at hearings, etc.
- respond to and work on inquiries/complaints/requests for information/general assistance, including Governor, Lt. Governor, Legislators, Mayors, Council Members, Congressional Members, and other government officials, including foreign governments, especially Pacific Rim
- joint program with Education Review Committee

INTERACTIVE PARTICIPATION WITH ORGANIZATIONS

- continuous program
- continue active participation with Hawaii, Pacific Rim, National and International organizations and government agencies for the exchange of information and concerns, sharing of educational and research efforts, joint projects of mutual concern, training, etc. through attendance and participation at local, regional, international, and national meetings
- joint program with Education Review Committee

LEGISLATIVE ACTS AND RESOLUTIONS

- continuous program
- review legislative acts; amend Chapter 467 public copy and work with ASO for publication; develop summary briefing for bulletin/website, Commissioners/Staff
- plan and implement requirements of acts and resolutions

- purchase or reimburse ASO and distribute copy of amended Chapter 467 and rules to all principal brokers and brokers in charge, and new brokerages; reserve copies for future distribution
- upon request, provide legislative briefings

NEIGHBOR ISLAND OUTREACH

- continuous program
- hold a minimum of 2 LRRC meetings on neighbor island sites, with CRC and ERC; Island of Hawaii and Maui are the pre-selected sites with dates to be determine; plan for one and one-half day each
- consideration to hold meetings in collaboration with local Board of Realtors', HAR, educational organizations, condominium organizations, etc.
- joint program with ERC and CRC

REVIEW OF SERVICES AND ORGANIZATION

- continuous program
- analyze and initiate steps to improve the services provided or amend processes without compromising consumer protection, to streamline for effectiveness and efficiency, amendments to laws, amendments to rules, amending forms, amending the system, staffing, equipment, reorganization, etc.
- conduct meetings and exchanges with Licensing Branch to improve services, clarify and amend procedures/forms/ policies/rules/public responses; conduct training sessions for Licensing Branch personnel
- development and implementation of improved and timely license verification and history program with disciplinary and complaint information, forms,

computerization; work with DCCA's website on license information and complaints history

- collect computerized data on applications and provide periodic statistical reports including numbers of filings, processing time, etc.
- joint program with Licensing Administrator for overall REB and PVL services

APPLICATION PROCESSING AND FORMS

- continuous program
- study and evaluate the processing of application forms, the wall and pocket card license; evaluate and amend forms and instructions; assist in mainframe computer programming issues
- study and report on other electronic/computer methods to improve application processing and providing a database, including additional uses of bar coding and services offered by testing companies and others
- continue providing more application forms through Internet in coordination with PVL D. See ERC program of work under "New Technology Program"

ARELLO NATIONAL DISCIPLINARY ACTION DATA BANK

- continuous program
- continue participation in the ARELLO National Disciplinary Action Data Bank to assist in background review of applicants and assist in consumer protection nationally, prepare and provide periodic reports to ARELLO
- participation through testing contract whereby every exam applicant will be reviewed through data bank

- request and review applicants with data bank, follow-up negative reports with host jurisdiction and secure further information on the disciplinary matter

CASE LAW REVIEW PROGRAM

- continuous program
- monitor, collect, and report on case law, disciplinary actions on other licensing areas that are relevant to real estate licensees, judgments and decisions on Hawaii court cases, federal court cases, and other states court cases; material cases to be considered for Real Estate Bulletin and webpage
- report on Hawaii specific cases to ARELLO annually

RULE MAKING, CHAPTER 53, FEES

- continuous program
- monitor and review services provided in relation to fees charged, research/study, make recommendations, develop drafts, administer rule making, hearing, approval; in coordination with Licensing Administrator
- administer with Licensing Administrator any submission through review process, hearing, approval, and implementation

COMMISSIONERS EDUCATION PROGRAM

- continuous program
- research and draft amendments to REC Reference Book, proposed deadline August 2002

- hold orientation sessions for new Commissioners and annual workshop for all Commissioners
- continue usage of CLEAR Board Member Training Manual and ARELLO Commissioner Training Program
- participate in training of Commissioners as provided by ARELLO, REEA, CAI, CLEAR, and other organizations

DIVISION AND DEPARTMENT PROGRAMS

- continuous program
- coordinate and work with PVL, DCCA, and others on any program of mutual concern, joint program with ERC and CRC
- review, analyze, and coordinate positions on Chapter 436B as it relates to Chapter 467 and Chapter 514A with PVL and the AG's Office, including self-executing provisions.
- RICO Advisory Panel: work, recommend, and coordinate with RICO
- assist Deputy Director and develop report on SWAT for 2002

HUD/ARELLO FAIR HOUSING AGREEMENT

- continuous program
- administer the terms of the agreement and coordinate review by HUD officials
- participate with ARELLO Fair Housing Committee and work with ARELLO on the terms of the agreement

**PROGRAM OF WORK AND BUDGET
EDUCATION REVIEW COMMITTEE
Chair: Patricia Choi
Vice-Chair: Vern Yamanaka**

FISCAL YEAR 2003

CONTINUING EDUCATION CORE COURSE

- carryover program
- research and report on recommendations on the future of the core course, including course development through consultant, utilization of existing courses, multiple options for licensees to meet core course requirement, feasibility of utilizing other courses as an equivalency to the core course, joint development program with HAR, review California's program, feasibility of electronic class, or termination of core course requirement; consider contracting with consultant
- administer REC core course and equivalent core courses, its certification; distribution of curriculum materials to providers, provide monitoring and evaluation
- research and develop curriculum for REC core course with Advisory Committee

BROKER CURRICULUM AND RESOURCES

- carryover program
- develop and implement new broker curriculum with HAR, appointing and utilizing task force in collaboration with prelicensing schools and instructors, professional organizations with certification programs, ASI, REEA, ARELLO, and other states; emphasis on utilizing existing education mediums
- consider contracting with consultant

ADVICE, EDUCATION, AND REFERRAL

- continuous program

- provide advice, education, and referral to applicants, licensees, government officials, consumers, public, organizations, etc., including research, reproduction, mailing, etc.
- develop a distribution system of educational and informational products to each principal broker and broker in charge
- publish and distribute educational and informational materials; provide educational materials through REC website; update agency educational materials and provide through website
- administer and provide requestors access to public information and records, including requests for copies; subject to compliance with Uniform Information Practices Act and working with PVL Program Specialist or the Office of Information Practices
- respond to inquiries, requests and constituency requests for Governor, Lt. Governor, Director, Deputy Director, Licensing Administrator, DCCA Division Chiefs, Legislators, Congressional members, County Officials, and other government officials, including research, troubleshooting, collaboration, mediation, and drafting responses
- collect and provide statistical data on telephone, walk-in, and correspondence assistance
- study and report on the feasibility of providing information and advice with less resources, including use of telephonic prerecorded information system and participation in local e-mail systems and e-government
- maintain and improve webpage through internet; consider controlled use of e-mail
- joint program with LRRC

ADMINISTRATION OF PRELICENSE EDUCATION PROGRAM, SCHOOLS, AND INSTRUCTORS

- continuous program

- administration of prelicense school and instructors, applications, approval process, information, renewals, certification, records management, re-evaluation, etc.; periodic meetings
- coordination of instructor's examination program
- administration of evaluation system on schools and instructors
- research, development, printing, and distribution of quarterly "School Files", a bulletin for educators; a joint program with Continuing Education Program
- periodic meetings with schools and instructors for exchange of concerns, information, amended laws and rules, etc.

ADMINISTRATION OF EXAMINATIONS

- continuous program
- administration of real estate licensing examination program including contract administration with ASI with contract termination of December 2003, information, trouble shooting, review and amendments to application booklets, periodic reports, daily exams, etc.
- coordinate periodic ASI workshop for schools, instructors, Commissioners and REB staff, test site administrators
- administer instructor examination program
- monitor all exam sites (including neighbor islands) at least once per year, report, recommend, etc.
- participate in the national uniform test development programs
- continue participation in the ARELLO examination certification program and the ARELLO education fund fee
- coordinate, conduct, and administer test development sessions with ASI including selection and coordination of panel members

- monitor and review of curriculum; provide timely laws and rules update report to ASI; coordinate the implementation of any amended curriculum for salesperson and broker into the examinations; and assist with issues on exam content/curriculum/exam questions
- development and implementation of scenario questions
- coordination and development of new RFP by May 2003 and eventual contract award before December 2003

ADMINISTRATION OF CONTINUING EDUCATION PROGRAM, PROVIDERS, AND INSTRUCTORS

- continuous program
- administration of continuing education program, providers, instructors, courses, information center, records management, etc.
- research, development, printing, and distribution of quarterly "School Files", a bulletin for educators; a joint program with Prelicense Education Program
- development, printing, and distribution of continuing education courses schedule
- periodic meetings (including neighbor island sites) with providers and instructors for exchange of concerns, information, amended laws and rules, etc.; consideration on providing these meetings in conjunction with Neighbor Island Outreach and Real Estate Specialists Office of the Day
- feasibility study into the delivery of CE courses through other means, including home study, interactive video and computer programs, HITS, television, cable TV, self study with challenge exams, internet, etc.
- study, develop, and report findings on criteria to determine equivalencies to continuing education courses
- study, draft, and implement amendments to MCE program via legislative act, including forms, instructions, and rule making;

- information on providers, courses, instructors, and class schedules to be distributed via REC webpage and hard copies
- continue to provide on REC website: CE course completion of each licensee, course schedules, list of approve providers/instructors/courses, core course equivalencies

ADMINISTRATION OF CONTINUING EDUCATION ELECTIVE COURSES

- continuous program
- provide administrative information to elective course providers and licensees, assist providers in submissions, review submission applications, review submitted curriculum, make recommendations, and records management

MEETINGS AND SYMPOSIUM

- continuous program
- plan, coordinate, and conduct monthly Education Review Committee meetings; including facilities arrangements, agenda, testifiers, and minutes; complete pre- and post meeting requirements, briefing of Chair and SEO; provide agendas and meeting schedules to participants and upon request, include in REC website
- plan, coordinate, and produce symposium, when necessary, to develop or amend program of work and budget; including facilities arrangements, speakers, agenda, testifiers, etc.
- joint program with LRRC

ANNUAL REPORT AND QUARTERLY BULLETIN

- continuous program
- research, edit, printing, and distribution of quarterly REC bulletin; contract administration with consultant, procurement code management; provide for guest articles from the real estate community
DEADLINE TO PRINT: End of July, October, January and April

- annual report shall include CMF annual report for completion by December 31 of which costs shall be divided evenly between REEF and CEF, for distribution to Legislature and Governor only, electronic distribution
- REC bulletin and annual report shall be placed on the REC webpage immediately upon completion either by completion of article or prior to distribution, and continue studying the feasibility of eliminating printing and distribution of hard copies through electronic distribution, the goal is to provide more up to date information on the webpage, including electronic delivery of bulletin to each licensee
- develop and conduct survey thru bulletin for comments, recommendations, topics, internet usage, delivery by email or webpage, CE, prelicensing, etc.

REAL ESTATE EDUCATION FUND (REEF)

- continuous program
- maintenance and review of budget, finance, and records for REEF; preparation of quarterly and annual financial statements; preparation of annual and biennial budgets; administration of fund investment programs including contract administration and procurement code management

NEIGHBOR ISLAND OUTREACH

- continuous and carryover program
- hold a minimum of two ERC meetings on neighbor island sites, with CRC and LRRC; Islands of Hawaii and Maui are the preselected sites with dates to be determine; plan for one and one-half days each
- consideration to hold meetings in collaboration with local board of Realtors, HAR, educational organizations, condominium organizations, etc.
- special education or outreach work at neighbor island sites for issues of concern
- joint program with LRRC and CRC

INTERACTIVE PARTICIPATION WITH ORGANIZATIONS

- continuous program
- active participation with Hawaii, Pacific Rim, national, and international organizations and government agencies for the exchange of information and concerns, sharing of educational and research efforts, joint projects of mutual concern, training, etc. through attendance, membership and participation at local, regional, national and international meetings; including Real Estate Educators Association (REEA), Association of Real Estate License Law Officials (ARELLO), Council on Licensure, Enforcement, and Regulation (CLEAR), National Association of Realtors (NAR), Hawaii Association of Realtors (HAR), Board of Realtors, Hawaii State Bar Association, IREM, National Land Council, etc.
- Commissioner and staff member participants shall participate in all communications, attend all pertinent meetings/workshops, and take an active role in representing the interests of the Commission, PVL, DCCA, and the State, especially taking an assertive role in all certification programs, participants to provide a written report to Commission/PVLD/DCCA of all participation
- joint program with LRRC

REAL ESTATE SEMINARS

- continuous program
- provide for a statewide seminar for real estate licensees and/or consumers through a contractor via subsidy, sponsoring, assisting, or co-sponsoring
- priority to utilize existing REC educational materials, and produce cost effective programs utilizing State or public type facilities
- cancellation policy based on minimum early registration requirement, complimentary admissions for Commissioners, staff members, RICO staff members
- administration of contract with consultant under procurement law

LEGISLATIVE PARTICIPATION, RESEARCH, AND REPORT

- continuous program
- research, participate, and/or report on any request by the Legislature, including resolutions, agreements, and issues of mutual concern
- joint program with LRRC

INSTRUCTOR'S DEVELOPMENT WORKSHOP

- continuous program
- development, sponsoring, coordination, and/or producing of instructor development workshops for prelicensing and continuing education instructors to meet rule requirements; feasibility of video taping and/or HITS; study the feasibility of interactive video program
- research and administer requests for equivalency to other instructor development workshop
- development and production of a special instructor development workshop using continuing education core course
- administration of contract with consultant under procurement law

EVALUATION AND EDUCATION SYSTEM FOR CE AND PRELICENSING INSTRUCTORS

- continuous program
- in a collaboration with the Hawaii Association of Realtors, HARES, and other approved persons, continue to administer evaluation system of prelicensing and continuing education instructors which can provide an evaluation of teaching ability and subject knowledge; student evaluation forms that are handled independent of the instructor; develop evaluation system to a peer review system; the evaluation program must be in conjunction with an educational component to assist an instructor with substandard teaching ability and/or subject

knowledge; the evaluation system shall provide for periodic reporting to REC

- research and report including an evaluation on the program and recommendations as to the continuance of the program and if continued, how it is to be administered, feasibility of peer review administration, volunteers, or contractor

REAL ESTATE SPECIALIST OFFICE FOR THE DAY

- continuous program
- real estate specialists set up office at RICO neighbor island offices or other sites to provide advice, education, and referral with advanced publicity, mail outs, and appointments; upon request, provide training to RICO investigators
- where possible, consider a joint program with condominium specialists office of the day program and combining with other programs for the neighbor islands
- coordinate with local boards, holding it at board's offices or in conjunction with a board function

REAL ESTATE SPEAKERSHIP PROGRAM

- continuous program
- subject to State government approvals and priorities, honor request to provide a speaker, resource person, or participant in a function related to real estate education. The participant to be either Supervising Executive Officer, Executive Officer, Real Estate Specialist, Commissioner, or other Staff member

PRELICENSING EDUCATION EQUIVALENCY ADMINISTRATION

- continuous program
- study and evaluate educational requirements of other States and jurisdictions in coordination with ARELLO; report findings and propose amendments to

the prelicensing education equivalency, forms,
instructions

- review, approve or deny, or present to REC applications for prelicensing educational equivalency; including coordination with Licensing Branch and applications for broker experience certificates

UNIFORM SECTION EQUIVALENCY OF PRELICENSING EXAMINATION

- carryover program
- administer uniform section equivalency program which recognizes the passage of the uniform part of another jurisdiction's exam
- administer ASI contract provision on utilizing either part of exam for different purposes

NEW TECHNOLOGY PROGRAM AND REC WEBSITE

- continuous program
- administration of in-house and network computer system, coordination with DCCA's coordinator, training of staff, purchases of hardware and software, programming, etc.
- utilization of laptop computer for screen projection at meetings, symposiums, training, etc.
- administer scanner for use with network and other programs
- shared with CEF budget
- work with DCCA and PVL on Department and Division plans on technology, computer systems, network, etc., including joint venturing projects and purchases
- administration and maintenance of REC website with long range goal that it be the main source of communication and information to licensees, applicants, and the consumers
- feasibility and purchase of fax on demand services

for applicants, licensees/registrants, and the public, which will include all applications and instructions, info sheets, etc. with consideration for joint venturing with PVL

- continue to work on the feasibility of placing all REC forms, applications, information sheets, change forms, education forms, licensing forms on REC website

RECORDS MANAGEMENT

- carryover program
- evaluate, plan, reorganize, and implement a centralized, consistent, user friendly, computerized glossary of the existing and future records and files (documents and computer); administration with REB, PVL, and DCCA policies and other statutory requirements
- administration of Records Report System and Uniform Information Practices Act with consultation with the Office of Information Practices; user friendly access to public information
- research alternatives for records storage (computerization, scanning, optic readers, CD Rom, microfilm, etc.) and public information provided via local e-mail systems or e-government; implement new scanning/CD of records and the delivery of public information through website
- consider EH, consultant, or special training

INFORMATION DISTRIBUTION SYSTEM

- carryover program
- research, development, and implementation of a centralized information distribution system for all the education products produced by the REC and HREREC; a standardized policy and procedure for distribution, purchasing, copyright, specific permission copying or generic permission copying of brochures, reports, video tapes, etc.

NEW SALESPERSON AND NEW BROKER STARTUP KITS

- continuous program
- package and distribute startup kits to newly licensed salesperson which will include but not limited to Licensee Guide, latest annual report, past available bulletins, and special distribution materials with a cover letter Chair message; Message to include recommendation to initiate own reference library
- package and distribute startup kits to newly license sole proprietor, corporation, and partnership brokers which will include but not limited to PB/BIC Brochure, Advertising Brochure, Fair Housing Brochure, RICO handout, Chapters (467, 436B, 99), REB Info Sheet, latest annual report, past available bulletins of interest, and other special distribution materials with a cover letter Chair message, to include recommendation to initiate own reference library, costs of printing, purchasing, and distribution of materials by Real Estate Education Fund

COOPERATIVE EDUCATION, RESEARCH, AND ADMINISTRATION PROGRAM

- continuous program
- actively participate and sponsor cooperative education, research and administrative programs for those persons, Branches, Divisions, Department personnel, Attorney General's Office that provide direct or indirect services to REC or are part of a real estate related program

DIVISION AND DEPARTMENT PROGRAMS

- continuous program
- coordinate activities and programs of mutual concern with PVL and DCCA.
- joint program with LRRC and CRC

STAFF AND COMMISSIONERS DEVELOPMENT

- continuous program

- development and training of staff and commissioners for better administration of the real estate programs
- participate in training and educational opportunities provided by REEA, ARELLO, CAI, CLEAR, and other organizations

REAL ESTATE REFERENCE LIBRARY

- continuous program
- subscribe and purchase real estate reference materials for public review, study and report on the feasibility of a program through the Hawaii State Library system similar to the Condominium Review Committee's program
- organize all real estate reference materials including periodicals, books, reports, seminar/workshop materials, other states information, etc., into a standardized system that is user friendly and computerized
- review and decide on pertinent reference materials, purchase and stock REB reference library and consider State Library System
- include in REC webpage a catalog of public reference materials available in REB office